

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

ALLAHABAD BENCH, ALLAHABAD.

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ORIGINAL APPLICATION NO. 604 of 2001.

this the 21st day of May 2001.

HON'BLE MR. RAFIQ UDDIN, MEMBER (J)

Nijamuddin, S/o Sri Qamruddin, R/o B-1111/2, Kareli Scheme  
G.T.B. Nagar, Allahabad and working as Bhisty under Chief  
Health Inspector, N. Rly. Allahabad.

Applicant.

By Advocate : Sri A.S. Dubey.

Versus.

Union of India through Divisional Railway Manager, N. Rly;  
Allahabad Division, Allahabad.

2. Divisional Commercial Manager, N. Rly, Allahabad Division,  
Allahabad.

3. Chief Health Inspector, N. Rly, Allahabad.

Respondents.

By Advocate : Sri A.K. Gaur.

ORDER (ORAL)

The applicant who is working as Bhisty in the office of Chief Health Inspector, Northern Railway, Allahabad (respondent no.2) was placed under suspension vide impugned order dated 22.3.2001. Subsequently, the applicant has also been transferred to Tundla for a period of three months with the approval of the competent authority vide order dated 9.4.2001. The grievance of the applicant is that no chargesheet has been served upon him, nor any enquiry proceedings has been initiated against him. In the meantime, the applicant, who is a low paid employee, has been transferred from Allahabad to Tundla. The applicant has, therefore, sought the quasing of suspension order as well as transfer order.

RJ

2. I have heard the learned counsel for the parties and perused the pleadings on record.

3. It is contended by the learned counsel for the respondents that the applicant has approached this Tribunal without approaching the competent authority. Therefore, the present O.A. is pre-mature and the applicant may be directed to make a representation before the authorities. The learned counsel for the applicant has, on the other hand, stated that the applicant is not being paid the full salary and a low paid servant Government/should not have been transferred during the suspension period. I find from the perusal of the suspension order that Headquarters of the applicant during the suspension period has not been mentioned. There is also no mention to appoint any Enquiry Officer , nor initiation of the disciplinary proceedings against the applicant.

4. Under the facts and circumstances of the case, the O.A. is disposed of with the direction to the applicant to move a detailed representation within a week before the competent authority for his grievances. It is, however, provided that till the representation of the applicant is disposed of by a reasoned and speaking order, the impugned transfer order dated 9.4.2001 will not be given effect to.

5. The O.A. stands disposed of as above with no order as to costs.

*D. Girish*  
Member (J)

Girish/-